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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/787,444	03/19/2001	Alfred Busch	CM2107/DO	2144

27752 7590 07/28/2004

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EXAMINER

KUMAR, PREETI

ART UNIT PAPER NUMBER

1751

DATE MAILED: 07/28/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/787,444	Applicant(s) BUSCH ET AL.	
	Examiner Preeti Kumar	Art Unit 1751	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 April 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1, 4, 6, 8, 9, 11-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1, 4, 9 and 11-13 is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☒ Claim(s) 6 and 8 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. The rejection of claims 1, 4, 6 and 8-9 under 35 U.S.C. 103(a) as being unpatentable over Fowler et al. (US 6,268,196) in view of Cao et al. (US 6,025,316) is withdrawn upon further consideration of the references in light of applicant's arguments.
2. The rejection of claims 1, 4, 6, 9 and 11-13 under 35 U.S.C. 103(a) as being unpatentable over Jones et al. (WO 98/00500) in view of Cao et al. (US 6,025,316) is withdrawn upon further consideration of the references in light of applicant's arguments.

Response to Arguments

3. Applicant's arguments, see Remarks, filed April 19, 2004, with respect to Fowler et al. (US 6,268,196) in view of Cao et al. (US 6,025,316) and Jones et al. (WO 98/00500) in view of Cao et al. (US 6,025,316) have been fully considered and are persuasive. Therefore, the rejections have been withdrawn. However, upon further consideration of the amendment, a new ground(s) of objection is required.

New Ground(s) of Objection

Claim Objections

4. Claims 6 and 8 are objected to because of the following informalities:
Claim 6 is dependent on cancelled claim 5. Appropriate correction is required
Claim 8 is objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Claim 8 is dependent on claim 1 however the limitation to a weak bond in claim 8 is not further limiting the limitation to a covalent bond in claim 1. A limitation to a covalent bond in the

independent claim and then limitation to a weak bond in the dependent claim is contradictory. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form.

Allowable Subject Matter

5. Claim 1, 4, 9, 11-13 are indicated allowable over the prior art of record.

A pertinent prior art of record is Fowler et al. (US 6,268,196). However, Fowler et al. do not teach a laundry detergent composition comprising an enzyme having a cellulose binding domain and a benefit agent covalently linked to the enzyme binding domain as recited by the instant claims. Also, it would not have been obvious to one of ordinary skill in the art, at the time the invention was made, to formulate a laundry detergent composition comprising an enzyme having a cellulose binding domain and a benefit agent covalently linked to the enzyme binding domain because the prior art teaching of Fowler et al. illustrate a laundry detergent composition comprising a truncated cellulase wherein the truncated cellulase lacks a cellulase binding domain.

Another pertinent prior art of record is Jones et al. (WO 98/00500). However, Jones et al. do not teach a laundry detergent composition comprising an enzyme having a cellulose binding domain and a benefit agent covalently linked to the enzyme binding domain via a PEG derivative linker as recited by the instant claims. Also, it would not have been obvious to one of ordinary skill in the art, at the time the invention was made, to formulate a laundry detergent composition comprising an enzyme having a cellulose binding domain and a benefit agent covalently linked to the enzyme binding domain because the prior art teaching of Jones et al. illustrate a laundry detergent composition

comprising an enzyme having a cellulase binding domain covalently attached to non-amino acid linking agents.

Conclusion

6. Applicant's amendment necessitated the new ground(s) of objection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Preeti Kumar whose telephone number is 571-272-1320. The examiner can normally be reached on M-F 9:00am - 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Yogendra N. Gupta can be reached on 571-272-1316. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 1751

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Preeti Kumar
Examiner
Art Unit 1751

PK



MARGARET EINSMANN
PRIMARY EXAMINER
GROUP 1100